

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

April 20, 2010

POST SUMMARY MINUTES

PRESENT: Chairman Eldrin Bell, Vice-Chairman Wole Ralph, Commissioner Sonna Singleton, Commissioner Michael Edmondson, Commissioner Gail B. Hambrick, and Clerk Shelby D. Haywood.

1. Chairman Bell called the meeting to order.
2. Invocation led by Rev. Larry U. Burns of Bethel Baptist Church in Jonesboro, Georgia. Pledge of allegiance to the flag led by Chairman Bell.
3. Amended the agenda by deleting item #7 (Consider requests of Rod Gray, Director of Central Services); holding item #13 (Authorizing Clayton County to provide Progressive Redevelopment, Inc., a Georgia 501(c)(3) affordable housing non-profit organization, with a HOME Program loan to be used to rehabilitate Brookside Apartments, located at 5420 Riverdale Road, College Park, Clayton County, Georgia and to refinance their mortgage for the same property); and adding an appointment to the Clayton County Board of Health (as requested by Commissioner Edmondson). The agenda was adopted, as amended, as all commissioners had copies before them.
4. Approved the April 13, 2010 Regular Business Meeting minutes.
5. PROCLAMATION: "Law Day 2010" (presented to the Clayton County Bar Association; Shonterria Martin/President, Tamika Hrobowski/Vice-President, and Aaron Mason/Member-at-Large). {NOTE: Clerk Haywood read the proclamation for the benefit of the audience.}

Chairman Bell noted that the Board had received a copy of Judge Steven Teske's letter concerning his confidence in the county evaluation committee's selection of an architectural firm to construct the juvenile justice building. The Board decided that it would not be read publicly during this Regular Business Meeting.

6. Angela Jackson, Director of Finance, presented the following items which resulted in these actions. (NOTE: The Board voted on all items at once.)

1) Approved Budget Amendment #2-40 (Hotel/Motel Tax Fund), for FYE 6-30-10, in the amount of \$11,000.00, to provide funds for Georgia Chamber of Commerce dues. Vote unanimous. **

2) Approved Budget Amendment #2-41 (Parks & Recreation), for FYE 6-30-10, in the

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amount of \$13,000.00, to provide funds to purchase lap lanes, floor cleaning equipment, wet/dry vacs, lap lane storage reels, and bumper pool tables. Vote unanimous.

3) Approved a Request for Refund (Building Permit) for Wayne Construction of Stone Mountain, Georgia, in the amount of \$423.90. Vote unanimous.

4) Approved a Request for Refund (Clean-up Bond) for Zenon & Zenon Contractors of Ellenwood, Georgia, in the amount of \$500.00. Vote unanimous.

**At this time in the meeting, Commissioner Hambrick stated her desire to nominate someone to be the county's representative on the Georgia Chamber of Commerce. She then made a motion to nominate Vice-Chairman Ralph to serve in that capacity. Her motion was seconded by Commissioner Singleton. Vote unanimous.

7. Approved Resolution 2010-95 to recognize the years of service of Police Canine Champ, to grant a conditional gift for his remaining years, and to provide for his retirement from active service. Champ will be returned to his human partner and handler, Lieutenant Anthony Thuman, for care upon retirement. Vote unanimous.

8. Approved Resolution 2010-96 authorizing Clayton County to accept grant funds awarded by the Clayton County Board of Health on behalf of the Clayton County Emergency Management Agency, in the amount of \$10,000.00, for the purpose of maintaining and enhancing the Clayton County Community Emergency Response Team. Vote unanimous.

9. Approved Resolution 2010-97 authorizing Clayton County to enter into an Intergovernmental Agreement with the Department of Transportation, an agency of the State of Georgia, for the allocation of State funds for resurfacing on various County roads to encompass approximately 10.278 miles. Vote unanimous.

10. Approved Resolution 2010-98 authorizing Clayton County to enter into professional service contracts with eight real estate appraisers providing for the terms and conditions under which appraisals of certain single-family dwellings will be conducted in connection with the Neighborhood Stabilization Program (NSP); to authorize the Chairman to execute the agreement and otherwise perform all other acts necessary to accomplish the intent of the resolution; to authorize the Finance Director to amend the budget where necessary to reflect an appropriate

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revenue source and expense; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

11. The Board denied a Request for Refund to CN Crag Charles, LLC for a 2008 Property Tax Assessment, in the amount of \$68,534.64 (Parcel I.D. #13053D B002 – Tax Refund Filing and Ante-Litem Notice). Vote unanimous.

Attorney Greg Hecht, who represented CN Crag Charles, LLC, announced that he wanted to present a statement regarding this request. Chairman Bell replied that the Board had made a decision. Unless there was a general consensus, the Board would not entertain a statement at this time. It would, rather, work from the documents that Mr. Hecht had already presented and/or submitted.

12. Chief Staff Attorney Michael Smith alerted Chairman Bell that a motion was needed to go out of the Regular Business Meeting to convene the Joint Meeting of the Clayton County Governmental Finance Corporation and the Clayton County Board of Commissioners. The purpose of this joint meeting was noted on the agenda as: “The Series 2010 Equipment Lease is being issued for the purpose of providing funds to finance the acquisition of three (3) fire trucks for Fire and Emergency Services and to pay costs of issuance.” This motion then followed:

Motion by Chairman Bell, second by Commissioner Singleton, to go out of the Regular Business Meeting and convene the joint CCGFC and CCBOC meeting. Vote unanimous.

Mr. Smith next presented Resolution 2010-1 (CCGFC) – A Resolution to facilitate the lease of three (3) fire engines that the county will purchase for the amount of \$1,950,000.00.

Commissioner Edmondson questioned if there were a Lease Addendum and, if so, he wanted a copy of it.

Mr. Smith responded yes, and he passed out a copy to all of the commissioners (including Commissioner Edmondson).

Doug Selby, Bond Counsel from Huntington & Williams, LLC, noted that there were additional copies of the next resolution of the county that would be presented (Resolution 2010-100) with a

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lease addendum. Commissioner Edmondson stated that he wanted a copy of that resolution as well.

Chairman Bell asked if there were any questions, and there were none. He then asked for a motion on Resolution 2010-1 (CCGFC) which resulted in the following action:

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to approve Resolution 2010-1 (CCFC). The motion carried 4-0-1. Commissioner Edmondson abstained due to cause. He informed everyone that he was actually employed by Wells Fargo Bank, N.A. (a financial institution involved in this transaction), and this could be a potential conflict of interest.

There being no further business to discuss in the Clayton County Governmental Finance Corporation and Clayton County Board of Commissioners' joint meeting, motion by Vice-Chairman Ralph, second by Commissioner Singleton, to adjourn the joint meeting. Vote unanimous.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to reconvene the Regular Business Meeting. Vote unanimous.

13. Approved Resolution 2010-100, a Resolution of the Board of Commissioners of Clayton County, Georgia authorizing the execution, delivery and performance of a master equipment lease and a lease addendum in order to lease certain fire trucks and associated equipment for essential public purposes; authorizing the execution and delivery of certain other related documents required in connection therewith; and authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution; and for other purposes. The motion carried 4-0-1. Commissioner Edmondson abstained due to cause for the aforementioned reason.

14. By general consensus, the Board held alternate appointments to the Board of Appeals (Zoning). Two (2) positions need to be filled to ensure that a quorum will be present at monthly meetings.

15. Approved the appointment of Dr. Darrayal D. McCullough, DDS, MPH of Jonesboro, GA to the Clayton County Board of Health (Commissioner Edmondson). The motion carried 4-1. Chairman Bell opposed. (NOTE: Per state law, preference is given to an active/practicing physician in Clayton County – provided that the county has at least four (4) physicians and one is willing to serve on the Clayton County Board of Health. A dentist is only appointed when there

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is no physician willing to serve. Chief Staff Attorney Smith is researching whether or not this appointment abides by state law and will notify Commissioner Edmondson of his findings in the near future.)